

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

MATTHEW CLARK and GREGORY
MALANDRUCCO,

Plaintiffs,

v.

CITY OF CHICAGO, et al.

Defendants.

Case No. 10-cv-1803

Judge Der-Yeghiayan

Magistrate Judge Cox

JURY TRIAL DEMANDED

PLAINTIFFS' MOTION TO DISMISS DEFENDANT OFFICER MICHAEL MANNOTT

Now come Plaintiffs Matthew Clark and Gregory Malandrucchio, by and through their attorneys, LOEVY & LOEVY, and respectfully move this Court to dismiss Officer Michael Mannott as a defendant in this action. In support of their motion, Plaintiffs state as follows:

1. Plaintiffs named Officer Michael Mannott as a defendant in this action because they believed that he was one of the unknown assailants that assaulted them on February 7, 2010, after viewing his photograph.

2. Upon observing Officer Mannott in person at his deposition on May 30, 2012, Plaintiffs were convinced that Officer Mannott was not present on February 7, 2010, and was not one of the assailants who attacked them.

3. Based on this information, Plaintiffs voluntarily agree to dismiss Officer Mannott as a defendant in this action without prejudice and without costs.

Conclusion

WHEREFORE, Plaintiffs respectfully request that the Court enter an order dismissing Defendant Officer John Mannott as a defendant in this action without prejudice and without costs.

Respectfully submitted,

/s/ Heather Lewis Donnell
Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

I, Heather Lewis Donnell, certify that on June 4, 2012, I filed with the Court's CM/ECF system PLAINTIFFS' MOTION TO DISMISS DEFENDANT OFFICER MICHAEL MANNOTT, and thereby served a copy to all counsel of record.

/s/ Heather Lewis Donnell